

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

**ABINGDON CALENDAR - JANUARY 22, 2003**

(The Honorable William F. Stone, Jr. Presiding)

(Start: \_\_\_\_\_ Recess: \_\_\_\_\_ ♦ Resume: \_\_\_\_\_ Stop: \_\_\_\_\_ ♦ Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_)

Attys:                      Debtors:    Case Nos.:                      Trustees:

**9:30 A. M. - PRE-TRIAL CONFERENCES**

Timoney	LARRY & PEGGY PARRIS	7-02-02448	Widener/JM
	A/P 7-02-00128: Det. Validity priority or extent of lien; <b>final pre-trial conf</b> Debtors v. EMC Mortgage Corporation		
Carroll	GERALDINE STREET-ch7	7-00-01647	Callahan/JM
	A/P 7-02-00173: Det. Validity, priority or extent of lien or other interest in property King & Higgs(Higgs) v. Debtor and Wm. Edward Callahan, Jr., Trustee(                      ) –Tr. Filed Motion to dismiss; Motion to Determine Non-Core: or Mot to Abstain 12/31		
–n/a	GRAYSON MOUNTAIN WATER CO. - Ch. 7	7-01-03363	Wick
	A/P No. 7-02-00075: Determine liens; <b>final pre-trial conf contd fr 87</b> Robert E. Wick, Jr., Trustee (Scott) v. Grayson County, Va. (G.Parks ), Hills Farm's, Inc., Market (                      ), Dunn Rite Trucking, LLC (                      ), Turner Leasing Co., Inc. (Copeland), Roger Catarino & Linda Catarino (Lamie ), Charles Campbell & Lisa Campbell (Lamie ), Donnkenny Apparel, Inc. (                      ), Western Staff Services of Wytheville (Shortridge ), Gene Gieselmann (Esposito ), John Wood ( Tavenner ), Thomas & Colleen Pagnozzi (Esposito ), James Brennan, D/T Trustee (Esposito ) and Michael Zupan, D/T Trustee (Esposito), Burch-Hodges-Stone, Inc. ( Abreu ), Machine & Welding Supply Co. (                      ), Carolina Bank (Hutton ), Southwest Bank of St. Louis ( Hutton ), Advanta Leasing Services (                      ), Waterview Resolution, f/k/a General Electric Capital ( Turner ), JDR Capital Corp. (                      ), Republic Leasing Co. (                      ), United Capital Leasing Corp. ( *                      ) & Quibell Partners, LLC (Oddo )		
	Motion to Compel Disclosure of Expert Witness filed by counsel for Trustee (Callahan) [d/e # 30]		

**9:30 A. M. - PRE-TRIAL CONFERENCES**

Copeland	JOHNNIE BELCHER-ch7	7-02-02177	Wick/LM
	A/P 7-02-00086: Det. Dischargeability ; <i>final pre-trial conference</i> Yonda Belcher Jones ( G.Matney) v. debtor (Copeland) ( <i>Matney is to appear by telephone conference; court to contact him on his cellular phone #276-970-5610</i> )		
Proctor	DOUGLAS K PRUITT-Ch7	7-01-03088	Callahan/S
	A/P 7-01-00190: Pre-trial for purpose of scheduling trial Teresa K. Sutherland , aka Teresa K. Sullins (Hutton) v. debtor (Proctor)		

**10:00 A. M. - MISCELLANEOUS HEARINGS**

Carmody	SCOTT W & REGINA S ARMES-ch7	7-02-04306	Callahan/JJ
	Motion #2: Avoid lien - filed 12/20; d/e # 18, 19 Debtors v. Equity One, c/o Harry Porterfield, CEO		
Money	ALFREDA JOHNSON-ch7	7-02-04043	Krippend/GR
	Motion #1: Relief - filed 12/20; d/e # 23, 24 JP Morgan Chase Bank (Clarke) v. debtor & trustee		
Carmody	EDDIE & BETTY SHAWVER-ch7	7-02-04299	Callahan/S
	Motion #1: Avoid lien - filed 12/20; d/e # 12, 13 Betty Louise Shawver (Carmody) v. First Century Bank, c/o Richard Wilkinson, CEO <b>Order of 1/9 avoiding lien, cancels hearing</b>		
Snodgrass	BILLY SEMONES- ch7	7-02-04475	Wick/SL
	Motion #1: Relief - filed 12/24; d/e # 14 , 16 American General Finance (Neyhart) v. debtor & trustee <b>-Default Order entered 1/15</b>  Motion #2: Relief - filed 12/24; d/e # 15, 17 American General Finance (Neyhart) v. debtor & trustee <b>-Default Order entered 1/15</b>		
Abingdon 1/22/03 Calendar			

**10:00 A. M. - MISCELLANEOUS HEARINGS**

J Jessee	DARRELL BREEDING-ch7 Motion #2: relief - filed 12/24; d/e # 45, 46 Ford Motor Credit Co (Paul Black) v. debtor & trustee <b>–Cont’d to 2/19 @ 10:00 a.m. by Order</b> [d/e # 49]	7-02-03003	CallahanGR
Arkema	WOOD TECH INC-CH7 Motion #7: Relief - filed 12/27; d/e # 135, 136 Primex Leasing Corp (Mark Black) v. debtor & trustee  Motion #8: Relief - filed 12/31; d/e # 139, 140 Ford Motor Credit co (Laura Hale) v. debtor & trustee <b>–ORDER (default) granting relief entered 1/15, cancels M8 hearing</b>  <i>see also 2:00 p.m. hearings in WoodTech AP’s 00-122 &amp; 00-123</i>	7-02-02451	Krippendorf/GR
Snodgrass	WARREN & ANGELA SIX-ch7 Motion #1: Relief - filed 12/31; d/e # 10, 12 Wells Fargo Financial Acceptance (Smith) v. debtors & trustee <b>–ORDER (Default) entered 1/16 granting relief</b>	7-02-04926	Callahan/JJ
J Widener	PATRICIA CLENDENEN-ch7 Motion #1: Relief - filed 1/2; d/e # 11, 12 VA Housing Development Authority (Moore) v. debtor & trustee <b>Amended Mot for Relief filed 1/6; d/e # 13</b>	7-02-04829	Krippend/SJ
Proctor	JAMES & NANCY HIGH-ch7 Motion #1: Relief - filed 1/2/03; d/e # 15, 17 Bombardier Capital (Chappell) v. debtors & trustee <b>–Order entered 1/17 granting relief by default</b> [d/e # 19]	7-02-04680	Callahan/AF

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**10:00 A. M. - MISCELLANEOUS HEARINGS**

C Jessee	DESKINS DRYGOODS CO-ch7	7-99-03385	Callahan/SL
	Motion of Trustee for Compensation of \$15,212.45 and \$389.77 expense filed 1/2; d/e # 157, 158, 161 & 163		
Farthing	JAMES & CLARIETTA DESMOND-ch7	7-02-05055	Krippendorf/SL
	Motion #1: Relief - filed 12/31; d/e # 10, 11 Bank One (Clarke) v. debtors & trustee		

**11:00 A. M. - MISCELLANEOUS HEARINGS**

Copeland	GEORGE PATTON	7-02-01131	DIP/VS
	Confirmation of Ch 11 Plan <b>Objection:</b> IRS (Friedberg) filed 1/14; d/e # 96		
Copeland	EDGAR & HATTIE SHAFFER-ch11	7-01-04468	DIPAF
	Motion in Limine of US Trustee & Motion to Dismiss/Convert; d/e # 85 -contd fr 11/26 ( <i>for parties to pursue settlement</i> )		
	Motion of Debtor to Incur Debt to obtain bonds & <b>OBJ:</b> Blue Ridge Bk (Gregory) Contd from 11/26		

**Tel. Conf. 11:30 at BSG on 1/21: Garber, Copeland in person  
& Gregory by phone:**

Abingdon 1/22/03 Calendar

**11:00 A. M. - MISCELLANEOUS HEARINGS**

Copeland	BEAR RIDGE MINING-chll	7-00-00708	DIP/AF
	Motion of U. S. Trustee to convert to Ch 7 filed 11/1; d/e # 169, contd fr 11/26 & 12/11 w/conditions		
Copeland	S T & J, INC. - Ch. 11	7-01-03411	DIP/VS
	Motion of Debtor to Rehear Motion to Require Assumption/Rejection of Executory Contract (re: Burger King) & Motion for Enlargement of Time, d/e # 88, 94, 96 and <u>Response of Coleman Oil (Beck) filed 9/20; d/e #106- contd from 10/30 &amp; 12/10 for hrg conditioned that relief has been obtained in Coleman Oil's bkcy case</u> ;d/e #123		
	Motion to Dismiss Claim of Coleman Oil and Motion to Shorten Notice Time filed 1/15; d/e # 132 (E. Whitesell)		
Copeland	E-CON PARTNERS INC-ch11	7-02-04727	DIP/NS
	DIP Motion to Use Cash Collateral upon which Business Loan Center Inc has lien, filed 1/13/03, d/e # 23		
	OBJECTION filed by U. S. Trustee (Garber) [d/e # 26]		
	DIP Motion to Use Pre-Petition Bank Accounts, file 1/13; d/e # 24		
Copeland	JAMES & MARGARET WILLIAMS-chll	7-02-00939	DIP/PR
	Confirmation of Ch 11 Plan		
	<b>Objection: U. S. Trustee (Garber)</b> filed 12/31; d/e # 78		
	<i>(Hearing may be extended to be heard at 3:00 p.m. if not sufficient time)</i>		
Copeland	JERRY & CATHY STURGILL-chll <i>(filed 1/13/03)</i>	7-03-00093	DIP/VS
	DIP Motion to use Cash Collateral upon which Branch Banking & Trust has lien filed 1/13/03 with Motion to Shorten Notice – <i>recused/referred to Judge Krumm</i>		

Abingdon Calendar - 1/22/03

**1:00 P. M. - CHAPTER 13 CONFIRMATION HEARINGS**

Hutchinson      ROBERT & LOVINIA SALTZ-ch13      7-02-00625      Widener/SL  
Mod Plan filed 11/25; d/e # 35 36  
**Objection:** Highlands Union Bank (Hutton)

Motion for Valuation of 1995 S-10 Pickup Truck; lienholder, Bank of Marion [d/e # 37]

Hutchinson      MELISSA CARTER-ch13      7-02-03142      Widener/SJ  
Mod Plan filed 11/27; d/e # 18, 19; cert of serv. [d/e # 20]

Snodgrass      WALTER KYLE-ch13      7-02-03268      Widener/AF  
Amended Plan filed 11/26; d/e # 30; (refiled 11/27, d/e # 33, w/debtor signature &  
Limited service)

Motion #1: relief - filed 11/14; d/e # 23,      *contd from 12/11*  
Litton Loan Servicing (McQuiddy) v. debtor  
Response filed 11/21, d/e # 27

Gifford      RICKY & ANNA HUNT-ch13      7-02-01662      Widener/SJ  
Mod Plan filed 11/13, d/e # 27 , 28 , 29

Timoney      LARRY & PEGGY PARRIS      7-02-02448      Widener/JM  
Mod Plan filed 7/22 with Debtors' Orig signatures, d/e # 15, 20, 21  
**Objection:** EMC Mortgage Corp (Sasser/Hutton\*) d/e # 14  
\*Hutton firm may have to withdraw/firm handled r/e closing

Abingdon 1/22/03 Calendar

**1:00 P. M. - CHAPTER 13 CONFIRMATION HEARINGS**

Snodgrass      ZENDELL & KAREN HARMON-chl3      7-02-03440      Widener/LM  
Mod Plan filed 12/6; d/e # 28  
Trustee Obj and Showcause: Dismiss or convert, contd from 11/13, d/e # 18 & 19

Hutchinson      GREGORY & CATHY FERGUSON-chl3      7-01-05346      Widener/JJ  
Mod Plan filed 10/23, d/e # 37, 38, contd from 12/10 *to amend scheds I & J*

Hutchinson      JAMES WALKER -chl3      7-02-02884      Widener/AF  
Mod Plan filed 10/31, d/e # 19, 21 (*to amend scheds to add assets*)

Carmody      HASSELL & GAYLENE JUSTUS      7-01-04945      Widener/SL  
Mod plan filed 11/13, d/e # 63, 64

Trustee Show Cause on Dismissal/Conversion [d/e # 21] *contd fr 7/3 & 9/18*  
Trustee OBJECTION; showcause: dismiss/convert, filed 8/14; d/e # 34 , contd fr 10/15  
Trustee Report, OBJECTION and showcause: Dismiss/convert, filed 8/30; d/e # 47 contd  
From 10/15 & 12/10  
Trustee's Report, Objection & Showcause: Dismiss/convert filed 12/17; d/e # 74

Motion # 3: Relief—filed 10/23 [d/e # 57] - *contd from 11/13*  
U. S. Dept. Of Agri, Rural Housing Service, formerly FHA (Eckert) v. Debtors & Trustee  
Answer of Respondent filed 11/5, d/e # 62

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**1:00 P. M. - CHAPTER 13 CONFIRMATION HEARINGS**

Hutchinson TAMMY LESTER  
Mod Plan filed 11/26; d/e # 17, 18

7-02-03093

Widener/VS

Copeland BRIAN MITCHELL 7-01-03831 Widener/VS  
Mod Plan filed 11/23, d/e # 30, contd fr 2/27, 3/27, 6/5, 8/7 & 10/26 re: IRS issues  
**Obj:** Trustee w/showcause: Dismiss/convert, filed 10/24; d/e # 21  
**Obj:** IRS (Fogg) filed 12/3,—otbt to file returns by date certain or hear s/c on 1/22  
CitiCa-pital Commercial (Sheets) filed 10/17; d/e # 20 - reached agr. On value  
Debtor's Show Cause for failure to file delinquent tax returns if not filed by 1/8/03  
[d/e # 77]

Proctor JERRY & JACQUELYN FOSTER - Ch. 13 7-02-04035 Widener/SL  
Plan filed 10/30; d/e#12 - *contd from 1/8 for Mot to Bifurcate to be filed/noticed*  
*-he wishes to dismiss; she to convert)*  
**Objection:** Highlands Union Bank (Hutton), d/e # 15 (*relief granted; otbt to w/draw obj*)  
Trustee w/Show Cause on Dismissal/Conversion [ d/e # 17]

**1:30 P. M. - MISCELLANEOUS HEARINGS**

Hutchinson MAE MOORE-ch13 7-02-03916 Widener/JJ  
Motion #1: Relief from stay and co-debtor stay  
First Union Home Equity/Fairbanks Capital (Clarke) v. debtor and Ralph  
Q. Moore, co-debtor( ) and trustee  
Answer filed 12/27; d/e # 19  
***Note: Service of pre-hearing ord to co-debtor returned undelivered 12/30***

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**2:00 P. M. - MISCELLANEOUS HEARINGS**



Proctor	JOYCE GILBERT-chl3	7-01-04757	Widener/NS
	Motion of Trustee to Dismiss case; filed 12/12; d/e # 27		

Proctor	PENNY ARNOLD-chl3	7-01-02957	Widener/NS
	Motion of Trustee to Dismiss case, filed 12/12, d/e # 33		

Largen	LARRY & LAVA BARRETT-chl3	7-00-02419	Widener/VS
	Motion of Trustee to Dismiss or convert case filed 12/17; d/e # 43		

Gifford	ERVIN BOLES-chl3	7-99-02095	Widener/SL
	Trustee Motion to Dismiss or convert filed 12/17; d/E # 49		

Timoney	RICHARD & MALINDA DAVIS-chl3	7-99-03259	Widener/SL
	Trustee Motion to Dismiss or convert filed 12/17; d/E # 26		

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**2:00 P. M. - MISCELLANEOUS HEARINGS**

Carmody      WILLIAM & PATRICIA GRAHAM-ch7      7-02-04335      Widener/Sl  
`      Motion #1: relief - filed 12/23; d/e # 23, 24  
    Tri Cities Finance (Copeland) v. debtors & trustee  
    *movant's certification filed 1/3; d/e # 26*

Motion for Valuation: Tri Cities Finance, 2000 Kia Sephia, filed 12/23; d/e # 25

Largen      EDDIE & AMANDA RANKIN-ch13      7-01-04717      Widener/NS  
    Motion #1: Relief - filed 11/22; d/e # 10, 31, 32; *contd from 12/11*  
    Midfirst Bank (Zimm) v. debtors & trustee  
    Response filed 11/27; d/e # 33

Arkema      WOODTECH INC-ch7      7-02-02451      Krippend/  
    A/P 7-02-00123: Recover money or property; *contd fr 10/30 & 12/11*  
    Debtor (McCullagh) v. Atlantic Coast Industries Inc (James Joyce) [d/e # 13]

A/P 7-02-00122: Recover money or property; *contd fr 10/30 & 12/11*  
Debtor (McCullagh) v. Bradford Plywood ( Robt. Ziogas) [d/e # 11]

Motion of Jefferds Corporation for payment of Administrative Expense (Maxwell)  
Contd by order of 1/16/03 for hearing

***See also 10:00 a.m. hearing in Relief Motion # 7***

Gifford      LISA ROSENBALM-ch13      7-02-02004      Widener/JM  
    Obj of Debtor to Claim #5: of Chase Manhattan Mortgage, d/e # 39, filed 11/26

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**2:30 P. M. - TRIAL**

Largen	MARK & LEE PRESCOTT-ch7	7-02-00962	Wick/LM
	A/P 7-02-00064: Det. Dischargeability		
	Capital One Bank (Sinesi) v. female petitioner, Lee A. Prescott (Largen)		

**3:00 P. M. - TRIAL**

D Harmon	RANDALL CROSS-ch7	7-02-02489	Callahan/AF
	Motion of U. S. Trustee to Dismiss case under §707(b) ( <i>substantial abuse</i> )		
	<i>Contd from 12/11</i>		